REMARKS

This response is to the action mailed in the above-referenced case on 02/23/2007. The examiner has dropped previous rejections and instituted all new grounds of rejection. Claims 1-8 and 11-28 are standing for examination. In the action the Examiner rejects claims 14-22 under 35 U.S.C. 102(a) over Saylor, US 6707889, hereinafter Saylor. Further the examiner rejects claims 1-8, 11-13, and 23-28 stand rejected under 35 U.S.C. 103(a) over Saylor in view of Eldering, US 6324519, hereinafter Eldering.

In response, applicant herein cancels all of the standing claims and provides new claims 31- 52 above for examination. New claim 31 is an independent method claim, and new claim 42 is an independent system claim following the limitations of method claim 31.

New claim 42 recites:
42. (New) A system for advertising to users of telephone services, comprising:

an advertisement management server;

a plurality of participating advertisers coupled to the management server through a network; and

a plurality of participating telephone services also coupled to the management server by the same or another network;

wherein the management server receives advertisements from participating advertisers over the network, stores the advertisements associated with the advertisers in a data repository, receives bid data over the network from participating advertisers for playing of one or more of the audio advertisements to callers to one or more of participating telephone services, determines whether the bid data is satisfactory to one or more of the participating telephone services, upon the bid data being determined satisfactory, associates the bid data and identity of the accepting telephone services with

the appropriate advertisements in the data repository, and upon receiving notice of a call to one of the accepting telephone services, retrieves an appropriate ad accepted by that telephone service, and provides the retrieved advertisement to the telephone service to be played as audio to the caller.

New claim 42 recites a system in which a plurality of participating telephone services and a plurality of participating advertisers are associated through one or more networks with an advertisement management server. Advertisers provide advertisements which the management server stores, and bid data regarding advertisements they provide. The bid data is checked by the management server against requirements of individual telephone services, and if found to be acceptable, the acceptability is stored associated with individual ones of the advertisements. Then as the management server is notified of alls to individual ones of the telephone services, the advertisement server selects appropriate advertisements and provides same to the telephone service, to be played to the caller.

The architecture, associating a plurality of telephone services and plurality of advertisers, and functionality in the architecture allowing advertisers to change advertisements and to bid and change bids is not taught singly or in combination by either of references Saylor or Eldering. Claim 42 is therefore patentable over the art cited and applied, and independent claims 43-52 are patentable at least as depended from a patentable claim.

Independent method claim 31 follows the limitations of system claim 42 and is therefore patentable by the same reasoning as put forward for claim 42. Depended claims 32-41 are therefore patentable at least as depended from a patentable claim.

It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully submitted,
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